

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2017-003785

09/04/2018

HONORABLE CHRISTOPHER WHITTEN

CLERK OF THE COURT
T. Cooley
Deputy

COMPLETE TECHNOLOGY RESOURCES INC DAVID MARHOFFER

v.

TIMITHEE K HUGGINS, et al.

SHANE D BUNTROCK

JUDGE WHITTEN

MINUTE ENTRY

The Court has considered CTR's and Jamie Stafslie's Application for Attorneys' Fees and Costs, filed June 21, 2018, Defendants' Response to CTR's and Jamie Stafslie's Application for Attorneys' Fees and Costs, filed July 18, 2018, and CTR's and Stafslie's Reply in Support of Application for Attorneys' Fees, filed July 30, 2018.

An award of fees in favor of CTR is premature, because litigation continues between it and the Hugg Tech parties. "In cases involving various competing claims, counterclaims and setoffs all tried together, the successful party is the net winner." *Ayala v. Olaiz*, 161 Ariz. 129, 131 (App. 1989). Should Hugg Tech prevail as defendant, it would be a wash and likely neither would receive fees.

Rule 54(b) might apply to Mr. Stafslie's request, but judicial economy is better served by waiting for final resolution to determine all fee request.

Accordingly, CTR's and Stafslie's Application for Fees and Costs is denied without prejudice to being remade when the case is finally resolved.